

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2014 SEP 19 PM 1:02

DEPUTY CLERK A.

ADRIAN THADDEUS WILSON, PRO SE,
TDCJ-CID No. 1207116,
Previous TDCJ-CID No. 807295,
Previous TDCJ-CID No. 913340,

Plaintiff,

v.

WILBUR L. KEMPH, COURTNEY B. KING,
STEVE R. CANTU, BRANDON J. HARRIS,
GARRETT E. ROCKHOLT, and
G. S. DAVID,

Defendants.

§ 2:13-CV-0119

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**ORDER GRANTING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT AND ORDER OF DISMISSAL**

Plaintiff ADRIAN THADDEUS WILSON, acting pro se and while a prisoner incarcerated in the Texas Department of Criminal Justice, Correctional Institutions Division, has filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-named defendants and has been granted permission to proceed pursuant to Title 28, United States Code, section 1915.

By Order of Partial Dismissal issued October 4, 2013, all of plaintiff's claims against defendant DAVID were dismissed with prejudice as frivolous.

On September 4, 2014, a Report and Recommendation was issued by the United States Magistrate Judge recommending that defendants' Motion for Summary Judgment be granted and that plaintiff's claims be dismissed with prejudice, both on the merits and on the issue of qualified immunity.

Plaintiff filed his Objections on September 17, 2014. In part, plaintiff makes new allegations that other non-defendant guards and the nurse(s) making entries in his medical records

are all colluding with the defendants to conceal defendants' actions. Even if the Court were to allow plaintiff to assert new claims against new defendants at the summary judgment stage, plaintiff has presented no evidence to support his claims of conspiracy and falsification of records by non-defendants.

The Court has made an independent examination of the records in this case and has examined plaintiff's Objections and the Magistrate Judge's Report and Recommendation. The Court is of the opinion that plaintiff's Objections should be OVERRULED and the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, OVERRULES plaintiff's Objections and does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

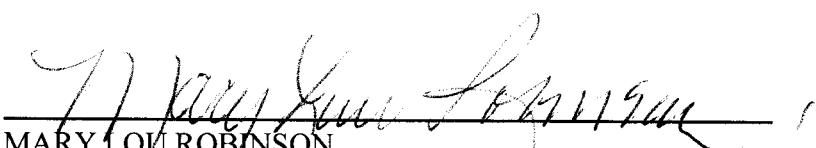
IT IS THEREFORE ORDERED that defendants' Motion for Summary Judgment is GRANTED and plaintiff's claims are DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this order to plaintiff and to any attorney of record. The Clerk shall also mail copies of this order to TDCJ-Office of the General Counsel, P.O. Box 13084, Austin, TX 78711; and to the Pro Se Clerk at the U.S. District Court for the Eastern District of Texas, Tyler Division.

It is SO ORDERED.

Signed this _____ 19th day of September, 2014.


MARY LOU ROBINSON
United States District Judge